



National  
Wildlife Refuge  
Association

3051

March 6, 2006

Mr. Don Hultman  
Upper Mississippi River  
National Wildlife and Fish Refuge  
Attn: CCP Comment  
Room 101  
51 East Fourth Street  
Winona, MN 55987

[R3planning@fws.gov](mailto:R3planning@fws.gov)

*Submitted via first class and electronic mail*

RE: Draft Environmental Impact Statement and Comprehensive Conservation Plan  
(EIS/CCP) at the Upper Mississippi River National Wildlife and Fish Refuge

Dear Mr. Hultman:

The National Wildlife Refuge Association (NWRA) appreciates the opportunity to comment on the Draft Environmental Impact Statement and Comprehensive Conservation Plan (EIS/CCP) at the Upper Mississippi River National Wildlife and Fish Refuge (Refuge).

The NWRA is a 501(c)(3) nonprofit, national membership organization, established in 1975. The NWRA's mission is to protect, enhance and expand the National Wildlife Refuge System (NWRS), lands and waters set aside by the American people to conserve our country's diverse wildlife heritage. Over the years we have worked to make the Refuge System stronger and better able to address the growing challenges of conserving wildlife in our country.

The Upper Mississippi River National Wildlife and Fish Refuge consists of 240,000 acres of land and water along 261 miles of the Mississippi River in Minnesota, Wisconsin, Iowa and Illinois. Congress established the refuge in 1924 to provide for migratory birds, fish, other wildlife, and plants. The Refuge supports 306 bird, 119 fish, 51 mammal, and 42 mussel species and is a migratory flyway for 40 percent of North America's migratory waterfowl as well as many Neotropical migratory birds. Further, the Refuge preserves important tallgrass prairie, a valuable ecosystem almost completely gone from the Great Plains region.

While we understand the Upper Mississippi River has a long history of public use without a detailed management plan, the CCP process is an important opportunity to develop a management plan that will guide the refuge in fulfilling its established purposes and the mission of the National Wildlife Refuge System, while at the same time engaging the public in the process.

Wildlife management at the Upper Mississippi River Refuge is challenged by the degradation of resources and habitat, including sedimentation, island erosion and aging of navigation pools, among other things. Some of this habitat loss is attributable to the changes in recreation on the refuge. Public use has grown along with a sharp increase in larger and more powerful watercraft. The number of personal watercraft on the Upper Mississippi has increased by 2500 percent over the last 15 years. As the most visited refuge in the System, with 3.7 million visitors annually, the Upper Mississippi River Refuge must balance public use with protection of fish and wildlife and their habitat.

#### National Wildlife Refuge System Improvement Act of 1997

We recognize public use is prevalent at the Upper Mississippi River National Wildlife and Fish Refuge; however, wildlife must be the priority on all national wildlife refuges, as required by the National Wildlife Refuge System Improvement Act of 1997 (Improvement Act). The Act provides “organic” legislation for the Refuge System, a basic statute providing a mission for the System, and policy and management guidance for all units of the System. The Improvement Act clearly requires that public use of a refuge may be allowed only where the use is compatible with the mission of the Refuge System and the purpose of the individual refuge.

More specifically, the Act defines a compatible use as “a wildlife-dependent recreational use or any other use of a refuge that, in the sound professional judgment of the Director, will not materially interfere with or detract from the fulfillment of the mission of the System or the purposes of the refuge.” In choosing the term “sound professional judgment,” the United States Congress intended for the refuge manager to consider the biological resources and, based upon available science, whether they can sustain reasonable use. Moreover, the manager must determine if available resources, such as funding, personnel and infrastructure, are adequate to support the proposed use.

Further, the Improvement Act establishes compatible wildlife-dependent recreational uses as the priority general public uses of the Refuge System. The law lists six priority wildlife-dependent recreational uses for refuges: hunting, fishing, wildlife observation and photography, and environmental education and interpretation. These activities are found to be directly related to the mission of the Refuge System and the purpose of many refuges because they rely on healthy wildlife populations.

#### NWRA Recommends Alternative B

Alternative B (Wildlife Focus) would implement a sound management plan for the refuge that allows for continued public use of the refuge, while putting wildlife first through habitat management that will support diverse and abundant native fish, wildlife and

plants. This alternative allows for continued wildlife-dependent public uses, while focusing on wildlife and habitat protection.

Alternative B calls for increased efforts to improve the quality of water flowing through the refuge, protect and recover endangered species, as well as to control invasive plants and animals. It also includes a pragmatic 25-shotshell limit during waterfowl season. While Alternative B focuses on wildlife, it still encourages public use by calling for a modest increase in refuge access through improvement of existing boat ramps, pull offs and overlooks.

#### *Incompatible Uses*

A number of activities that directly affect the Upper Mississippi River National Wildlife and Fish Refuge are excluded from the EIS/CCP and compatibility determinations (CD) and not being properly addressed. The EIS/CCP pays little attention to the commercial navigation and water-related businesses currently taking place along the river. Despite the cooperative agreement between the Refuge and U.S. Army Corps of Engineers, the public must be informed about the activities taking place and how they impact refuge resources. This information would provide insight into water quality and human disturbance issues that significantly affect the wildlife and plants within the refuge. The EIS/CCP should include an accurate description of all commercial navigation and other water-related businesses occurring on the refuge to provide a more comprehensive understanding of all factors affecting the refuge.

The compatibility determinations for many commercial activities taking place on the Refuge are not comprehensive enough in describing the benefits the activities impart on the refuge. For this reason, we believe these commercial activities are incompatible uses and should be prohibited. These activities that should be prohibited include commercial fishing, commercial clamming, commercial turtle harvesting, and commercial furbearer trapping. The standard for commercial and economic uses of refuges requires that the use must contribute to the achievement of the refuge's purpose and the mission of the Refuge System.

#### *National Wildlife Refuge System*

In finalizing its management recommendations, the U.S. Fish and Wildlife Service should ensure that the Upper Mississippi River National Wildlife and Fish Refuge has adequate resources to implement the EIS/CCP.

As you know, the National Wildlife Refuge System continues to be crippled by a lack of sufficient funding and resources. Funding shortfalls, such as the more than \$2 billion operations and maintenance backlog, harm every refuge in the System. Specifically, funding shortfalls limit the ability of refuges to successfully conduct important biological programs and hire critical staff, while also hindering opportunities for the public to engage in compatible wildlife-dependent recreation.

While significant strides were made to reduce the budgetary shortfall in connection with the 100<sup>th</sup> anniversary of the National Wildlife Refuge System, funding since the Refuge Centennial has been stagnant. The Cooperative Alliance for Refuge Enhancement

(CARE), 21 diverse conservation and sporting organizations, of which the NWRA is a member, has determined that it will be necessary to increase the annual Refuge System budget to \$700 million simply to meet the System's top tier needs. Our groups, representing a national constituency numbering more than 5 million Americans, recognize the value of a healthy Refuge System to both the wildlife and habitats refuges were established to protect and the 40 million visitors that frequent these special places each year.

The National Wildlife Refuge System is the crown jewel of wildlife conservation in America. Prior to the National Wildlife Refuge Improvement Act of 1997, many inconsistencies and incompatible uses were present on national wildlife refuges. Now we have a clear mandate for the National Wildlife Refuge System.

The National Wildlife Refuge Association encourages you to put wildlife first at the Upper Mississippi National Wildlife and Fish Refuge, and adopt Alternative B, the Wildlife focused alternative. Thank you for the opportunity to submit comments on the future of this amazing and popular national wildlife refuge.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Woodbridge", with a stylized flourish at the end.

Michael Woodbridge  
Director of Government Affairs